

1 BILL FISHER (FISHER): You made it.
2 JIBREEL RASHAD(RASHAD): UI
3 FISHER: No problem, how are you? Come on in.
4 RASHAD: UI
5 FISHER: You doing good?
6 RASHAD: Yea. Doing good; I'm good.
7 FISHER: How was your New Year?
8 RASHAD: Uh-huh, it was good, good. I'd expected to
9 UI...
10 FISHER: Were you here in town?
11 RASHAD: Ahh, yeah, oh, you see I was here at New
12 Year's, but I went to ahh Houston as a matter of fact,
13 yeah.
14 FISHER: Good. I wanted to go with Rick.
15 RASHAD: Oh to Vegas?
16 FISHER: Yeah.
17 RASHAD: Yeah, he ahh, I just talked to him. He just
18 called me back, I said man the day is almost over
19 with, but I forgot y'all 2 hours behind us so. And...
20 FISHER: Yeah, he's just getting up isn't he?
21 RASHAD: He's just getting up. He said he had the
22 frog in his voice.
23 FISHER: LAUGHING...
24 RASHAD: Yeah, so, I went down to Houston and ahh
25 went down there and ahh they had a office party, my

1 guys down at 31 Properties. Ahh, they had a real nice
2 set in their offices and stuff so we did that, and it
3 was nice, it was nice.

4 FISHER: Now I've heard you and Rick talk about
5 Houston...

6 RASHAD: LAUGHING...

7 FISHER: ...so you guys doing stuff in Houston?

8 RASHAD: Yeah, we trying to do some things down
9 there. Ahh, one of the, one of the guys who owns 31
10 Properties, Aaron Glenn, he plays for the ahh Houston
11 Texans.

12 FISHER: OK.

13 RASHAD: Yeah. So he's doin' a lot of development
14 stuff down there too so we're part of them in what
15 they're trying to get accomplished down there.
16 They're doing some commercial ahh franchise, chicken
17 franchises, but they're building 'em though, so.

18 FISHER: OK.

19 RASHAD: So we'll kinda like...

20 FISHER: So they just do they operate the chicken
21 franchise or they?

22 RASHAD: Nah, well, you know what? I believe that
23 they're gonna be doing some management, they gonna
24 have some management teams come in and do some of 'em...

25 FISHER: OK.

1 RASHAD: ...here. I think some of them they gonna
2 probably just be building 'em and then selling 'em off
3 too. But they wanted us to come in and do at least 4
4 with 'em.

5 FISHER: Is it for ahh, is it for ahh chicken
6 franchiser or something like that?

7 RASHAD: LAUGH... Yeah, well actually they have the
8 exclusive right; they already 'em here in Dallas.
9 They bought the exclusive rights to do 'em in Houston.
10 I don't know if you heard of the Williams' Chickens here?

11 FISHER: Yeah.

12 RASHAD: Have you ever seen William's Chicken?

13 FISHER: Of course, of course.

14 RASHAD: Yeah, they ahh, it's one of Mr. Hiawatha
15 Williams they bought this exclusive rights to do 'em
16 in Houston from him.

17 FISHER: Well, good.

18 RASHAD: Yeah, so. We'll see how it goes ahh,
19 hopefully, we can do the next four with 'em. But
20 that's what it is.

21 FISHER: What will you be doing for them?

22 RASHAD: Ah we just gonna, well, we gonna come in and
23 try to buy 4 from 'em; we're gonna try to get the
24 dirt, built 'em, well we'll let them build 'em and
25 we'll come in and run 'em ourselves.

1 FISHER: OK.

2 RASHAD: And then we'll turn around and, you know,
3 buy 'em back from them later on.

4 FISHER: Kind of a lease purchase?

5 RASHAD: Lease purchase them.

6 FISHER: Financing huh?

7 RASHAD: Yeah, exactly, exactly.

8 FISHER: Well good. Well, he's not gonna be able to
9 use the Super Bowl money this year.

10 LAUGHTER...

11 RASHAD: Well, I'm actually getting ready to make my
12 ahh plans for that today. I'm getting ready to head
13 down to Jacksonville, probably gonna leave, I guess
14 I'll leave that Thursday. I usually go down about
15 Thursday.

16 FISHER: They give you access to tickets through them?

17 RASHAD: You know actually I have ahh, ahh well I
18 had, I really haven't done too much lately the last 2
19 years. But I had a ticket business, Wall Street
20 Tickets right there on Oak Lawn. We did all the major
21 events.

22 FISHER: Wall Street Tickets?

23 RASHAD: Wall Street Tickets, yeah, yeah. It was ahh
24 me and a business partner, ahh but he decided he wanted
25 to go shoot independent films and movies and

1 what not so he's still, he's still doing the tickets,
2 but he's just trying to get these film projects.
3 Can't blame him, I mean, he's been in L.A. for a
4 while. And I have, I just haven't had the time to
5 really do it, but some of the guys that do scalp the
6 tickets and everything they know me, know my face,
7 know when I was out there doing 'em. I still get the
8 better deals from them from on the streets though.
9 FISHER: They still call you when they have extra
10 tickets?
11 RASHAD: LAUGH... Yeah.
12 FISHER: Good.
13 RASHAD: Yeah, yeah, they do, they do.
14 FISHER: No problem. Well, I got your ahh, I got
15 your e-mail and ahh these, the 2 Letter Agreements.
16 RASHAD: Yeah, we just spoke about it. I wanted to
17 be sure, I hadn't take, hadn't had a chance to look at
18 it. Andrea she sent it over to you.
19 FISHER: Did she prepare them or did you have an
20 attorney prepare 'em or?
21 RASHAD: She ahh prepared 'em ahh, ahh on ahh the ahh
22 advice of ahh Rick and myself. But Rick worked closely...
23 FISHER: OK.
24 RASHAD: ...with her ahh before he left.
25 FISHER: No problem.

1 RASHAD: So. But we're on the same page with ahh...

2 FISHER: I just, you know, this would be like this,
3 these are gonna like worlds of, this would be a
4 standard contract with the subcontractor so. I mean
5 it's I think it's about 30 pages on it's own and then
6 in and there's ahh exhibits to this agreement always
7 which includes ahem,...

8 (Flipping through papers)

9 FISHER: ...ahem, I just made copies of the top
10 pages. I mean there's ahh drawing index schedule,
11 exhibit, there's a ahh sched, there's a trade item
12 break down on a time line on that. Ahh, there's just
13 some insurance requirements, the Geo Tech and then
14 your schedule of values that would go with it.

15 RASHAD: OK, he's UI...

16 FISHER: Then there's subcontractor letter that's
17 required by the lender and then there's a exhibit
18 which are just some details on the, additional details
19 on the scope of work that's not covered in there. So,
20 the, you know, this would be the normal for this type
21 of agreement as opposed to just the one page job here so.

22 RASHAD: OK. OK. So, OK.

23 FISHER: I was just wondering what you, what would
24 you like me to do?

25 RASHAD: Ahem, I may need to ahh,...

1 FISHER: You know D'Angelo made it clear that I need
2 to, to sign you guys up and I'm, you know, that's what
3 we're here for. I just wanta make sure you see the
4 difference in what you're asking for...
5 RASHAD: UI
6 FISHER: ...what would normally ahh...
7 RASHAD: 'Cause you know to be ahh...
8 FISHER: This, this'll be the first time you've done
9 something this, UI.
10 RASHAD: Right, right on this, this, yeah, I mean, I
11 mean, I mean, on this level anyway. You know? I mean
12 we build and bought smaller, you know, projects and
13 stuff like that, but ahh, ahh...
14 FISHER: Nothing of this magnitude.
15 RASHAD: Well, it's not, I mean, definitely not a
16 problem though I mean I think ahh PAUSE... the reason
17 why, see 'cause I talked to Rick and I know that he
18 has spoke with ahh, with her and ahh they kinda
19 coordinated everything and I, and I don't know if he,
20 I think his idea was to just try and get something in,
21 you know, black and white. And ahh I don't think his
22 mind set was in more in depth with these many pages so
23 to speak. I think he was just more so trying to ahh
24 get something with, with you and I and not have to go
25 through UI...

1 FISHER: Right, right now and then what...

2 RASHAD: Yeah, exactly.

3 FISHER: We do that next or?

4 RASHAD: Because I think all of this as far as on the

5 ahh due diligence with this I think is gonna be

6 definitely ahh put together, extensively. I think he

7 was just trying his idea was to get something in black

8 an white with us, and then, you know, not having to go

9 through Ron and this kinda thing. 'Cause I think that's...

10 FISHER: No, and not that, this stuff doesn't matter,

11 doesn't matter who you were doing it with. That if

12 Ra-Mill is gonna be the prime sub, that is the kind of

13 agreement....

14 RASHAD: Okay UI...

15 FISHER: ...yeah. Now what would normally happen, I

16 mean, so I make sure you know the difference between

17 the two, normally, like we have a construction

18 attorney, this, these are AIA documents they'd normally

19 get with your attorney and they just try and incorporate

20 the business deal into the two.

21 RASHAD: OK.

22 FISHER: Ahem, do you guys have an attorney that we

23 can plug in here?

24 RASHAD: Yeah, yeah we do. Yeah, we have attorney

25 Ray Jackson, yeah.

1 FISHER: Who?

2 RASHAD: Attorney Ray Jackson.

3 FISHER: Tony Ray Jackson?

4 RASHAD: No, Ray Jackson.

5 FISHER: Ray Jackson, OK.

6 RASHAD: Attorney Ray Jackson.

7 FISHER: OK.

8 RASHAD: Ray Jackson. Yeah, we do. Well, that's

9 fine I mean.

10 FISHER: Do you want to get, I mean, again I'm just

11 trying to make sure we do what's ahh, what really gets

12 you the work. I mean that's, ultimately you know, if

13 this is what you guys want me to do here initially then

14 that's what you need to tell me, but I want assure you

15 guys know that for me to pay LAUGH...you and draw money,

16 we're gonna have to end up...

17 RASHAD: Yep.

18 FISHER: ...with a normal...

19 RASHAD: Well,...

20 FISHER: ...you know, subcontractor agreement ahh.

21 RASHAD: And I, and I, and I agree with you ahem if

22 this is normal standard then we need to go with this.

23 FISHER: Ok, not a problem.

24 RASHAD: Like I said, my mind was based on the

25 conversation that he and I had and what we had with Ron

1 was trying to, you know, you know take him out, out of
2 the equation. Get something on paper now 'cause...
3 FISHER: Right. And I don't have any agreements with
4 Ron. You was talking about Ron Ferguson?
5 RASHAD: Right, exactly.
6 FISHER: On this deal at all so this is, you know,...
7 RASHAD: OK.
8 FISHER: we, I thought we cleaned the slate that Saturday.
9 RASHAD: OK.
10 FISHER: You made it clear he was out and I don't have
11 anything...
12 RASHAD: Well, I don't think it was clear in his mind
13 after visiting with him that's the reason why.
14 FISHER: You talked to him?
15 RASHAD: Yeah, that's the reason why I'm saying this
16 is the why this came the way it did so fast because
17 after visiting with him and talking with him so. Ahh,
18 but this is, this is fine I mean, I ahem, whatever
19 direction I mean, you know, that we need to go with
20 this, this is what we gonna, you know, this is it so
21 we'll take it to, you know, the attorney and...
22 FISHER: Well, what we need to do is, that's I mean
23 that's one that I did in the ahh...
24 RASHAD: OK.
25 FISHER: ...in the ahh Houston job, but the best

1 thing for me would be to get his name, phone number,
2 you know, e-mail address and then I'll get the Cantor
3 Stueben people who represent us in the con, contracts
4 and try and get them plugged together to get
5 something working.

6 RASHAD: OK. OK. OK.

7 FISHER: Now this is gonna take a while to, to you
8 know to work through. So, we, we still wanta work off
9 of this at least as a starting point?

10 RASHAD: Yeah, I think as a starting point, ahh yeah
11 just at least as a starting point. And ahh...

12 FISHER: Yeah, 'cause this, 'cause I, frankly I'm you
13 know when's our case coming up? It's the...

14 RASHAD: Hmmmm, I'm not sure. Ahh...

15 FISHER: It's soon though isn't it?

16 RASHAD: I think it, I think it next, next week or
17 the week after.

18 FISHER: Yeah, that, that sounds right.

19 RASHAD: About next week or the week after.

20 FISHER: Yes, we only have a couple of weeks. This
21 may take longer than that.

22 RASHAD: OK.

23 FISHER: So...

24 RASHAD: OK.

25 FISHER: I think, you know, doesn't D'Angelo want

1 something signed up ahead of time? Was that we'd work
2 off a Letter Agreement first?

3 RASHAD: Yeah, we wanta work off of this. Ahem, yes,
4 we'll work off of this which'll be fine I mean this
5 will suffice and, and, you say how long will this take
6 to get this done?

7 FISHER: I don't know. I just, it depends on how
8 responsive your lawyer is ahem, you know, frankly I
9 don't know. Somebody else normally handles it ahh,
10 it's a pretty standard form document so.

11 RASHAD: Yeah.

12 FISHER: I mean in theory it could be done in time.
13 Are all you guys around? Or is everybody who needs to
14 sign it, Ra-Mill around and?

15 RASHAD: Oh, yeah.

16 FISHER: Got all your corporate docs in order?

17 RASHAD: Yeah, yeah, yeah.

18 FISHER: Okay.

19 RASHAD: That, ah, has a been taken care of. Ahh,
20 even as we speak we're, we're getting all of the ahh,
21 the bid stuff and everything together so we got
22 everything ahh taken care of from that standpoint.
23 But I was just...

24 FISHER: Well are you working with Ron on that
25 because we're, Rick had asked for a set of plans. And

1 then they never come and picked 'em
2 up, and I had a set here with me.

3 RASHAD: Well, I have a set. I have a set ahem, but
4 the thing I think Rick was having to get was a plan
5 for the plumbing.

6 FISHER: OK. Well, UI, so you guys got the plans from
7 Ron?

8 RASHAD: Yeah, yeah we got those from Ron.

9 FISHER: OK.

10 RASHAD: Yeah.

11 FISHER: Well, is Ron in this deal or is he out?

12 RASHAD: Well, ahem, LAUGHING... it's not a hard
13 question to answer, but I...you know Ron is, Ron is,
14 I...from talking to Ron, Ron is in the deal ahh based
15 on the conversation that we had. But...

16 FISHER: Well that's an agreement among you guys,
17 right? That's ahh...

18 RASHAD: Well, well, let me put it like this. Based
19 on what you just told me and I know we had the meeting
20 that Saturday morning, ahem maybe I walked away still
21 a little unsure in terms of what Ron had said, you
22 know, so I was gonna kinda let, you know, allow you
23 and Ron to have conversation or whatever, but um. So
24 what I need to do is ahh, let me, I just need to table
25 it, I need to ahh that'll be something between us. I

1 mean it has nothing what we gotta do with, with, with,
2 with you and I and Rick and so forth we...
3 FISHER: You just wanta make sure because Ron is
4 calling Dewey separately. Right and he's TNL...
5 RASHAD: Right.
6 FISHER: ...and D'Angelo was very clear that Ra-Mill
7 is the one getting contracts.
8 RASHAD: OK. Alright well, you know,...
9 FISHER: So how can I LAUGHING.....
10 RASHAD: Well, now I understand what you're saying.
11 I understand what you're saying. I just, like I said,
12 my thing, thing is and would always be I don't want
13 any ripples. I like things to run smooth and I know
14 you do too. Ahem, and that was one of the questions I
15 asked you on Saturday when we had met. Ahh, what if
16 there was a contract and you, and you told me you
17 don't know that you didn't have any.
18 FISHER: No, I got a...
19 RASHAD: 'Cause he said something opposite so again...
20 FISHER: Just ask him to...UI, it, it reads pretty
21 clear. I mean ahh...
22 RASHAD: UI. OK.
23 FISHER: ...we didn't get any work in District 5.
24 RASHAD: Right.
25 FISHER: And we got shut out there, he had no, he had

1 options to bid on these contracts and have the right
2 to end up as a successful bidder with one or two of
3 them, but it was all premised on getting work in
4 District 5, and we got shut out completely.

5 RASHAD: COUGH...

6 FISHER: So, that's what I was telling you guys that
7 day so. I know you're concerned about Ron so.

8 RASHAD: Yeah that was just, that was just, that was
9 I'm telling you Bill that was, that's the only thing
10 really, I mean. But like I said, you know, hearing it
11 from you again, ahh that's fine with me because like I
12 said we did have an opportunity to meet with him ahh
13 and, and, and maybe I guess, I really went along with
14 Rick 'cause he wanted to talk to 'em. We had gotten
15 the plans from Ron, but ahh at the same time it was
16 one of those things where I believe ahh, I don't know
17 maybe, maybe, maybe, Ron and Rick ahh Ron thinking
18 that he still had. I don't know, I mean I don't, I
19 really don't know. I don't wanta sound like I'm
20 running here, but I don't know.

21 FISHER: OK. UI that's, that's always a good answer.

22 RASHAD: Well, you know, yeah I mean I'm be just
23 trying to so I get certainly be clear and you know.
24 I, my thing again this is exactly what I told ahh
25 Rick. I said my thing is I just don't want no ripples

1 or whatever. Because he had gotten the plans from Ron
2 so in Ron's mind, Ron is, is doing this, you know what
3 I'm saying? He's doing this and ahh, we, I, we just
4 say well let's, well let's see what he's talking
5 about. Let's go meet with him. But we, but then...
6 FISHER: OK.
7 RASHAD: ...Rick talked to you and then Rick came
8 back and told me. Well I talked to Bill and Bill said
9 come see him at the office. Course he went to Las
10 Vegas and here I am, but now that I've had a, and see
11 this was all prior to you having a meet, an
12 opportunity to meet with ahh D'Angelo too. So, you
13 know, so now that we got a confirmation, you had an
14 opportunity to meet with D'Angelo and we had a chance
15 to meet with Ron again. Now we can go full force and
16 if there's nothing between you and Ron, I could feel
17 more comfortable now and what it is that we need to do.
18 FISHER: OK.
19 RASHAD: On my whole thing I'm not trying to create no
20 ripples for neither party at all. That's my whole thing.
21 FISHER: I understand.
22 RASHAD: UI
23 FISHER: That was a, it was a nice meeting with ahh,
24 with D'Angelo, went and had coffee with him at
25 Starbucks and I'm not sure how you guys got it set up,

1 but walked me across to...

2 LAUGHTER...

3 FISHER: ...to Don so.

4 RASHAD: Ok, ok. Well, well I mean, that's, that's

5 basically it, but yeah I mean just something to go off

6 ahh let us do this with the understanding, I

7 mean, not to say that the person that did this for us.

8 Well, not this, but this, this information right here

9 they, they know this contractor, subcontractor agreement

10 needs to be done. I'm just thinking this was just

11 something, a personal thing in black and white so to

12 speak between you and ahh Ra-Mill.

13 FISHER: Right.

14 RASHAD: You know? But we have all our ducks lined

15 in a row.

16 FISHER: Well, again D'Angelo made it clear about Ra-

17 Mill I just you know the Ron question is, you know.

18 Ron's gonna be coming at me with a contract for TNL.

19 RASHAD: Right. Right.

20 FISHER: So I can't sign an agreement with both you guys.

21 RASHAD: Right. I understand.

22 FISHER: So.

23 RASHAD: I understand.

24 FISHER: Ahem.

25 RASHAD: I understand.

1 FISHER: Are you gonna talk to Ron or?

2 LAUGHTER...

3 RASHAD: Personally, I don't need to because see my
4 whole thing again goes back to not to re, re-hash
5 anything. But my whole thing was ahh allowing you to
6 be comfortable, have an opportunity to speak with
7 D'Angelo and them, yourself. Um, we had a chance...

8 FISHER: And see Don.

9 RASHAD: Exactly, exactly. And that's the reason
10 why it, it may seem like well Ron is still in it
11 because again if that didn't work out or you didn't
12 feel comfortable with that, and you was gonna
13 give Ron some of the work, then we would of had
14 to kinda piggy-back off of Ron so to speak.

15 FISHER: Oh, I see, you're saying like if ahh, if we
16 didn't get the confirmation from Don and D'Angelo you
17 wouldn't get shut out on the work.

18 RASHAD: (Nodding)...

19 FISHER: LAUGH...

20 RASHAD: So.

21 FISHER: Alright.

22 RASHAD: LAUGHING...

23 FISHER: So you guys were just covering your base?
24 Well, that's, that's, that sounds like smart business.

25 RASHAD: (Nodding) Yeah, yeah ahem so I just wanted to

1 be clear on that part of it so.

2 FISHER: Well, again just, just to be clear D'Angelo

3 was saying Ra-Mill is the one to get the contract so

4 that's your understanding too and that's my

5 understanding right?

6 RASHAD: (Nodding)...

7 FISHER: And so I don't need the contract with Ron and you,

8 you guys are gonna talk to Ron or is that ball in my court?

9 RASHAD: May be in your court.

10 FISHER: OK.

11 RASHAD: It may be in your court. There's something

12 he may wanta speak with us or whatever, but if so

13 that's fine too. That's fine, I mean, I don't have a

14 problem with that. Ahem what..

15 FISHER: You were concerned in that Saturday meeting

16 about resolving it. Do we, do you just wanta get a

17 meeting with all of us together, is that the...

18 RASHAD: Ummm...

19 FISHER: ...the best way to do it or?

20 RASHAD: To be honest with you, I, I don't, I don't

21 now that, now that you had a chance to get a

22 confirmation and, and I'm hearing it from you and I

23 know what's already on this side ahh, I don't really

24 feel it necessary, that it's necessary to do that. I

25 mean, honestly, I mean, I don't, now to be diplomatic

1 about the situation I will, but because it didn't
2 again, originally, it didn't even start out like that.
3 FISHER: OK.
4 RASHAD: You know. It's going back to the way it was
5 and should have been originally, you know, so. It took
6 us a little, you know, like I said we dropped the ball on
7 some things, took us a little time to get really organized
8 with this ahh side of the project so to speak, but you
9 know we ahh got our ducks in a row now.
10 FISHER: UI I got the distinct impression ahem that not,
11 you know, getting our ducks in a row the last time cost me.
12 LAUGHTER...
13 FISHER: ...my projects.
14 RASHAD: Well, I, I don't know, I don't know with regards
15 to the that. I didn't know some weird things started to
16 happen that I, that kinda rubbed me the wrong way too so.
17 And based on that I don't know I just, but...
18 FISHER: Did those guys go cut their own deal LAUGHING...
19 and leave you out or. 'Cause I don't think Ron ended up
20 with the work did he?
21 RASHAD: I don't what ahh, I don't even know what
22 happened on that, once that didn't go down, happen
23 whatever; I don't know what happened. I kinda like
24 got out of the loop because as I explained to ahh
25 certain individuals, I got my own thing anyway you

1 know as far as ahh the (UI) ahh even from ahh Rick
2 you know? I got things...

3 FISHER: Mm-hmm.

4 RASHAD: ...going on. I got projects, I do money, I
5 make, but my thing was ahh if it's gonna happen, let's
6 make it happen, but I don't like to pin point people
7 against people and play political games and all that.
8 You know there was some things like I said before I
9 did not like because once I have an opportunity to sit
10 down and have lunch with someone like you and I did
11 and ahh have a conversation with a person, ahh at the
12 end of the day the bottom line is starting from point a
13 getting to point z and I don't like all that other
14 gray stuff in between. And I felt like that was a lot
15 that was going on and ahh I just didn't like some of
16 it. I said it's not fair to you, yourself, ahh I
17 didn't like that. So I just kinda, whatever y'all
18 doing y'all, you know...

19 FISHER: They made their deal and that's, you know,
20 there's nothing we can do about it.

21 RASHAD: No. ...STUTTERING...I explained that to you
22 when we got, you know, when we was at the Taco Diner I
23 mean. There was some things that I started see kinda
24 some pendulum swinging and stuff like that and other
25 names started to come up. I'm like OK where is this

1 going and it really, really, really didn't sit well
2 with me.

3 FISHER: Our other developer...

4 RASHAD: 'Cause I don't necessarily, well there you
5 go UI, 'cause I don't necessarily like I say, I don't
6 necessarily have to call you every day, come over to
7 your house and dinner and all that. But I think if
8 you, you know, you know, in the old west they used to
9 do deals on a hand shake and I think your word is your
10 bond or it should be and if you have an opportunity to
11 do good business, then I think you should do that.

12 Irregardless, if there is a miscommunication along
13 the way then let's see if we can't communicate and get
14 it right, you know?

15 FISHER: Right.

16 RASHAD: And not to have one individual spending out
17 so much only to find out because one other name pop up
18 oh now and you know who I'm talking about and that

19 LAUGH... and that was the other developer. So.

20 FISHER: COUGH...

21 RASHAD: I...

22 FISHER: Well if they cut a better deal, they cut a
23 better deal so.

24 RASHAD: That's not the way I, that's not the way I
25 do things, it's just not the way I do things. Ahh,

1 again, I don't know what, what, I just know he just
2 started to pin the...UI
3 FISHER: Sounds like you got left out too.
4 RASHAD: Well, I don't know, I don't know if I got
5 left out, left in. I just don't, maybe I took myself
6 out because I don't like to, all that pendulum
7 swinging and all that going back and forth I just don't...
8 FISHER: Well trading off. I mean again one side
9 against the other is not...
10 RASHAD: It is not.
11 FISHER: ...uncommon.
12 RASHAD: No, I don't, I don't like that so. But
13 again I'm glad that we, you know, ahh got this thing
14 back ahh the way it should be because it was, and I'm
15 gonna be straight with you Bill, if I mean, if there's
16 anything that I think ahh needs to be said I'm a
17 straight forward. I'm gonna say it and I'm gonna be
18 clear about it ahh and again I didn't like the way,
19 you know, how the thing kinda switched with Ron.
20 Although, I just said you know what ahh if it is an
21 opportunity for him as well as us too then that's OK
22 too, but we wasn't expecting to it for him to be the
23 primary. That, that's not the way it definitely
24 should have started out so.
25 FISHER: He was gonna help you guys, not the other

1 way around.

2 RASHAD: Exactly. Exactly. Exactly. Now when we
3 met with 'em, ahh last week, week ago, week and a half
4 ago, it was just more of that ahh, that, that same
5 feeling like you know we just getting a little bit of
6 the work here and there like, you know, we were like
7 nahhhh. So, my whole thing was I hadn't had a chance
8 to talk to you...UI

9 FISHER: COUGHING...

10 RASHAD: ...today based on your meeting with D'Angelo
11 and them and ahh you feel good about that, I feel good
12 about that, then we move forward I mean.

13 FISHER: Yeah, I felt real good about the meeting
14 with D'Angelo and UI getting Don to the meeting I,
15 frankly I was impressed.

16 RASHAD: Well, I mean that's just, I told, well we
17 try to tell you that that's his guy I mean that's, that's
18 his guy so. Ahem, moving forward like I said, we ahh,
19 you know, we'll do this and whatever, whatever...

20 FISHER: Nice touch.

21 RASHAD: LAUGHING...

22 FISHER: It's, it's simple you know.

23 RASHAD: Yeah, made it, made it simple and ahh
24 anything that ahh, ahh that ahh you can suggest or
25 whatever, I mean ahh, ahh you think we need to, to do

1 or like I said, I'm not saying that ahh we don't have
2 this because our project manager's getting all this.
3 I think this is like I said was something just to move
4 us forward.
5 FISHER: Yeah, let's get this done before the zoning
6 case...
7 RASHAD: UI.
8 FISHER: ...and then we can...
9 RASHAD: Exactly, exactly, exactly.
10 FISHER: OK. Ahem, you know frankly I'd like to try
11 and you know get this big document working too.
12 Could, are you guys prepared to do that?
13 RASHAD: Yes.
14 FISHER: OK.
15 RASHAD: Yes, oh yes.
16 FISHER: So you'll let your, you'll get your attorney
17 to call me?
18 RASHAD: Yes.
19 FISHER: OK. Alright.
20 RASHAD: Yes, I'll do that. I'll do that.
21 FISHER: Let's, let's talk real quick about this. The...
22 RASHAD: OK. Cleared his throat...
23 FISHER: Concrete, framing, dry wall, electrical on
24 these jobs you know? Eight million dollars a job,
25 maybe 10. Because that's the bulk of the work. These

1 Letter Agreements say... I think...the initial contractor
2 fee of 10%'s requested on the execution of the contract
3 and final a, approved bid. You know the norm is like
4 a 1% MOB fee on it. Are you guys really looking for 10%?
5 up front?

6 RASHAD: Ahem, yeah we was I mean ahh...

7 FISHER: My estimate of that would be 1.6 million
8 dollars. When there's just two 8 million dollar
9 contracts, the norm would be about like said a
10 mobilization draw in a standard contract would be 1%.
11 That's what my investor and somebody would allow me
12 and then you do the work and you earn your fee. I
13 mean ten would be, UI I think ten's about your whole
14 fee in each deal working all the way through so I mean
15 it's certainly a lot of money.

16 RASHAD: Right.

17 FISHER: I just, you know. You guys are looking for
18 it up front?

19 RASHAD: Ahem, well I mean that was the game plan I
20 mean you know. Ahh, but you know I, I need to, I need
21 to go back and ahh to be honest with you I need to go
22 back and ahh have a discussion with ahh, with ahh
23 'cause this, this is you know really this is my first
24 time seeing, seeing this? I don't know what Rick and
25 ahh...

1 FISHER: D'Angelo thought that the issue was? I mean
2 can we talk about being straight forward? You just
3 need to tell me what I need to do here and I can tell
4 you whether I can or not. This, this would be very
5 difficult for me to do because I have a standard
6 general contractor's contract above you,...

7 RASHAD: Mm-hmmm.

8 FISHER: And the norm is a 1% MOB fee which is not, I
9 mean that you're still talking about a reasonable amount
10 of money. But 10% I'm not sure I could draw a million
11 six off the two jobs up front. But if that's what you're
12 telling me I need to do then you need to tell me that
13 'cause then I gotta make some kind of arrangements to be
14 prepared for it.

15 RASHAD: OK. Well, let me do this like this 'cause
16 one thing ahh I wanta make sure of, and I'm you
17 know a person of ahh morals as well too I mean. My
18 thing is to make this as conducive to both parties.

19 FISHER: Yeah, I just wanta make sure I can do what
20 you're asking me to do.

21 RASHAD: Right, right.

22 FISHER: But that's my job is to do what you're asking me
23 to do, but I gotta make sure that you understand that
24 what the norm is and what's not. And if this is your
25 requirement, you need to tell me 'cause then I'm gonna

1 need to make some kinda special arrangements.

2 RASHAD: Right. Ahem...

3 FISHER: Had y'all talked about this?

4 RASHAD: Actually we haven't.

5 FISHER: OK.

6 RASHAD: Actually we haven't so what I need to do is

7 ahh have a discussion with 'em ahh with, you know.

8 FISHER: With Rick and D'Angelo about? OK.

9 RASHAD: Matter of fact let's do it like this.

10 FISHER: Alright.

11 RASHAD: Make it simple enough.

12 FISHER: OK.

13 Phone dialing...

14 FISHER: I just don't want you guys to think I'm dragging

15 my feet on one hand, but on the other hand we need to...

16 Phone dialing...

17 FISHER: ...make sure we know what the norm is and....

18 Phone dialing...

19 RASHAD: Yeah.

20 FISHER: When I'm, when I'm jumping the extra hurdle

21 here and whether y'all have really thought through it,

22 and whether that's the requirement.

23 RASHAD: UI....I agree with you.

24 A long pause...

25 FISHER: Listen, I got a 1:00 conference call here

1 I'm gonna make sure Saleem's covering for us.

2 RASHAD: UI

3 FISHER: If I can.

4 Dialing phone...

5 Phone ringing...

6 SALEEM JAFAR (JAFAR): Hello.

7 FISHER: 1:00 conference call you need to get on,

8 I'm in this other meeting; I'm gonna be a few minutes.

9 JAFAR: OK. I mean I'm not sure what I can add

10 to it, but I'm...

11 FISHER: You have to get on it's a representative on

12 our team has to be on.

13 RASHAD: If I don't get 'em then I...

14 FISHER: Who you trying to get?

15 RASHAD: I was trying to get ahh Rick here on a

16 conference real quick.

17 FISHER: Alright.

18 RASHAD: Hello ahh Faith hey, it's Jibreel how you

19 doing? Well, I'm actually, I'm in a meeting real, is

20 he, is he by the phone? I need to conference him in

21 on a call real quick. OK.

22 FISHER: Coughed...

23 RASHAD: Rick, hold on. OK Rick?

24 RICK ROBERTSON(ROBERTSON): Yes sir.

25 RASHAD: OK, I'm in the ahh me and Bill is here in

1 the office right now. OK?

2 ROBERTSON: Hmmm.

3 RASHAD: OK. He has ahh, the ahh letter that was

4 sent over?

5 ROBERTSON: Uh-huh.

6 RASHAD: OK. Ahem, Bill why don't you ahh tell Rick

7 what you was talking about in reference to this.

8 FISHER: The, I was telling, well first of all, we

9 went, and I brought a standard subcontract form which

10 is about 30 pages so.

11 ROBERTSON: Right. Right. Right..

12 FISHER: So ahh but you know we did, I know you guys

13 want something signed before the zoning case. The

14 concrete, framing, dry wall and electrical on each of

15 these jobs is gonna total about 8 million dollars.

16 ROBERTSON: Uh-huh.

17 FISHER: And it's probably more frankly. You all are

18 asking for 10% of the fee up front. So are you

19 looking for a million 6 from me on each, ah half on

20 each deal?

21 ROBERTSON: No. No, no that's not, that's not 10% of

22 ahh, ahh the UI 10% ahh not on each deal; it's just

23 10% is like ahh just part of UI I mean set up cost for

24 just getting a UI.

25 RASHAD: Can you hear him?

1 FISHER: Not really.

2 RASHAD: You said it was just 10%, hey, hey Rick?

3 ROBERTSON: Yeah, that's ...STUTTERING...that wasn't
4 how they, 10% that one.

5 RASHAD: Oh...

6 ROBERTSON: UI

7 RASHAD: OK. 'Cause let me, I don't know if you had
8 a chance to proofread this or not and if not, if, if
9 not then we need to make sure we do this because I'm
10 looking at what Bill has in front of him. Ahh just to
11 kinda like make a read a synopsis to it. It says in
12 an effort to provide excellent service to the Pecan
13 Grove Project, an initial contractor, contractor fee
14 of 10% is requested upon execution of contract of
15 final approved bid pricing.

16 ROBERTSON: Um-hum. That was the 10% of ahh that
17 ahh, I think that was supposed to be 10% of just the
18 concrete. UI each, each ahh outline ahh trade. UI in
19 fact that UI that wasn't worded right.

20 RASHAD: Mm-hmmm.

21 ROBERTSON: There's just something wrong, you know, but
22 that's not, that wasn't worded like in 10% up, up front.

23 FISHER: OK. Just can you give me an idea and I was
24 telling ahh Jibreel I need to be prepared so and I
25 don't wanta sign something I can't perform on.

1 ROBERTSON: Right.

2 FISHER: Can you give me an estimate of what, what...

3 ROBERTSON: UI started to look at again, you can UI which

4 you'll, your formal agreement that you normally put up.

5 RASHAD: Oh, OK 'cause...

6 ROBERTSON: Let's go from there.

7 RASHAD: ...OK 'cause, 'cause Rick...

8 FISHER: Yeah, go ahead, 'cause the norm's that 1%...

9 RASHAD: ...yeah, the norm, I was gonna say...

10 FISHER: ...of the total yeah.

11 RASHAD: Yeah, the normal is 1% of the total.

12 ROBERTSON: Right.

13 FISHER: Now, ahh which would be, I mean, we're still

14 talking about you know \$160,000, \$200,000 something like

15 that which would be a significant percentage of your, of

16 the fee you'll ultimately collect.

17 ROBERTSON: Yeah. Now that 10% was just supposed to

18 been UI, it wasn't no more than UI. I mean to how we

19 calculated it was, just should have been like about

20 ahh like \$25,000, something like that.

21 FISHER: That's just...

22 ROBERTSON: It's not worth UI...

23 Beeping...

24 FISHER: Well, just tell me what you, just if you

25 could just clarify that, I mean, obviously we're gonna

1 work on some documents here. If you guys'll just
2 clarify what, what I need to include in the agreement,
3 what you guys are gonna put in there so I can...
4 Continuous beeping...
5 ROBERTSON: OK.
6 FISHER: ...be able to do it.
7 ROBERTSON: UI
8 FISHER: Is somebody beeping in for you?
9 RASHAD: Hold on.
10 ROBERTSON: You say clarify what now Bill?
11 RASHAD: OK. No, I'm sorry it's ahh beep coming in,
12 but go ahead. Ahh, no, UI, he didn't hear you Bill.
13 FISHER: Go ahead, go ahead.
14 RASHAD: Well, he was just saying that ahh,
15 he just wanted us to ahh just, just to be
16 clear on ahh what it is that he needs to do. Ahh...
17 ROBERTSON: Uh-huh.
18 RASHAD: ...because of various reasons that would be
19 a tough draw for him...
20 FISHER: LAUGHING...
21 RASHAD: ...and we want, we want to try to do that.
22 I mean, like I said I told him to be honest with you
23 this is the first time I've seen this. I haven't even
24 proofread it anything, but I, that's why I wanted to
25 conference you in on the call here. But ahh, ahh he

1 was saying 1% is, is normal. Ahem...

2 FISHER: Yeah...

3 RASHAD: ...so I think, I think if we go with the ahh
4 normal channels here I mean ahh that'll you know,
5 that'll suffice.
6 Beeping...

7 ROBERTSON: UI that'll suffice. Yeah.

8 FISHER: OK. Sssss.

9 ROBERTSON: Yeah, that'll suffice. But the ahh I
10 know it, I think UI that UI in agreement ahh a while
11 back on the other project. And ahh well we were just
12 doing this just, you know, give you something to
13 kinda, you know, ahh look at, but the one that you
14 sent me up there ahh that will be, you know that will
15 be good enough for.

16 FISHER: No, no sweat. I know you're looking to get
17 something signed the, the case is coming here in a
18 couple of weeks, and I know you're looking to get
19 something signed ahead of time. Ahem, the...

20 ROBERTSON: Your standard, your standard agreement
21 that you have?

22 FISHER: Yeah, I also have a, you know there's a
23 standard board form agreement that I showed ahh....Jibreel.
24 The normal agreements about 30 pages. Now he said y'all
25 had an attorney to work on that with us?

1 ROBERTSON: Yes.

2 FISHER: OK. But we need to do this, we need to do a
3 letter first?

4 ROBERTSON: OK.

5 FISHER: Is that right?

6 ROBERTSON: Yeah.

7 FISHER: And we can work on the other at the same
8 time, but we need to get the letters done here before
9 ahh the next couple of weeks gets way.

10 RASHAD: Yeah at least, yeah. I, I'm thinking of I mean
11 it's saying 10% I think ahh if you feel comfortable with
12 this now, I mean, we could actually line this and put 1%
13 and UI initial whatever we need to do.

14 FISHER: OK. The well ahh do you want Rick to stay
15 on, I had, my, my other question was I mean I know
16 what our Schedule of Values is gonna be for this work.
17 The Letter Agreement isn't specific about any pricing
18 so ahem what are you looking for? UI.....

19 ROBERTSON: As far as pricing?

20 FISHER: Yeah.

21 ROBERTSON: Well, ahem basically we just what, you know,
22 need to know what we need to come in at as far as your
23 ahh the pricing that, that, that's for the project.

24 FISHER: OK.

25 ROBERTSON: And ahh, and then we can, you know, we can

1 come in right there ahh where we need to come in at.

2 FISHER: OK. Who, who is actually gonna do the work?

3 I mean this,...

4 ROBERTSON: Ahh...

5 FISHER: This'll be like 16 million in contracts for you

6 guys and I know you've never done anything this size. Do

7 you, do you have somebody lined up to actually do the

8 concrete, framing, dry wall, and electrical?

9 ROBERTSON: Yes, we have, we have the capability of,

10 of getting it done. Ahh, I'll get you the, you know,

11 I'll get you ahh the information that you need as far

12 as you know looking at the work. Ahh so that every, I

13 mean, you know the company and everything to, you

14 know, make sure that everything ahh pans out with you.

15 I had ahh, had initially wanted it ahh, ahh Andrea to

16 be there with UI in the meeting with him, but she was

17 not, she was not able to make it. She's still out of

18 town, she'll be back I guess the day after tomorrow

19 and ahh she can be more specific as far as ahh, how to

20 work'll, you know, get done and everything.

21 FISHER: OK. Ahem alright. Trying to think of what

22 else. I, another question I had ahem, you know I'm

23 really concerned obviously about two jobs here getting

24 the construction done on time and...

25 ROBERTSON: Mm-hmmm.

1 FISHER: ...getting the quality out there. Are you
2 guys gonna man the job or is somebody else?

3 ROBERTSON: Well, our, our, our company ahem like I
4 said I need what I do is I need her to, to ahh go over
5 that with you. Ahh because what she can better ahh,
6 you know, give you an explanation as far as ahh how
7 it'll be manned and, and the terminology and
8 everything that, you know, that, that go to use with
9 it. But she, she's more ahh technical and she can,
10 she can assure you, you know assure projects gonna be
11 done right and everything's gonna be in order.

12 RASHAD: Yeah, but she's ahh, ahh, she is, she is our
13 project manager with Ra-Mill and some of the subs and
14 stuff that people that we're gonna be getting, but we
15 have our own but she also have ahh, ahh they've done
16 major, major stuff. I mean ahh so she's a little bit
17 more technical and detailed.

18 FISHER: OK.

19 RASHAD: Give you everything you need.

20 FISHER: Yeah, 'cause, 'cause D'Angelo's pretty clear
21 that he is expecting, I think that he used the term
22 undergird. He wanted to make sure that I undergirded
23 you guys.

24 LAUGHTER...

25 FISHER: So.

1 ROBERTSON: Right, right...

2 FISHER: Ahh...

3 ROBERTSON: Yeah.

4 FISHER: So, but you guys at this point are planning

5 on handling the work through your company and this

6 project manager and you will get other subs...

7 ROBERTSON: Correct.

8 FISHER: ...to do these line items.

9 RASHAD: Right.

10 FISHER: OK.

11 ROBERTSON: Right.

12 RASHAD: Right, right.

13 FISHER: And you know that you're gonna have to run

14 these subs by me so I can approve 'em.

15 RASHAD: Right, absolutely, absolutely.

16 FISHER: OK.

17 RASHAD: Yeah, we know that.

18 FISHER: But ahh you've got some contacts.

19 RASHAD: Right.

20 FISHER: And she's got some contacts. But you haven't

21 lined anybody up yet.

22 RASHAD: Right, right. Exactly. But we are in the

23 process that's for sure and ahh, yeah, so we are aware

24 of that. But she'll be able like I say she'll be

25 little bit, little bit more technical stuff ahh as far

1 as ahh the paperwork and all that stuff there so.

2 FISHER: OK.

3 RASHAD: We'll run everything by you.

4 FISHER: The ahem and I don't know if...

5 ROBERTSON: She'll get back, I think she'll be back I

6 think Wednesday. I know you're gonna be leaving.

7 When will you be back Bill?

8 FISHER: I, I'll be back, I'll be back this weekend

9 and then next Wednesday will be the first day I'll be

10 back in this office.

11 ROBERTSON: OK.

12 FISHER: 'Cause I'm in ahh, I'm just out of town

13 starting this afternoon until you know all day Friday

14 and then I'm back Saturday, Sunday and then I'm back

15 up to Austin on Monday and Tuesday.

16 RASHAD: Can you meet this week, this, this weekend

17 maybe?

18 FISHER: If you guys need to meet this weekend,

19 that's great, is, is our Vegas guy back?

20 RASHAD: That's what UI.

21 LAUGHTER...

22 RASHAD: UI a vote.

23 ROBERTSON: I'll be, I'll be back tomorrow.

24 LAUGHTER...

25 RASHAD: He'll be back on tomorrow. Let's ahh, ahh

1 she'll be back ahh you say Wednesday Rick?

2 ROBERTSON: She'll be back tomorrow night UI.

3 RASHAD: Well, we're gonna set up something let's ahh

4 say Saturday. I mean it don't matter to me just

5 before 'cause we need, we got the thing coming up I

6 think it's next week ahh Rick if I'm not mistaken

7 ahh....

8 ROBERTSON: We can if, if he can meet Saturday, then

9 we can do that.

10 FISHER: Let's do that.

11 ROBERTSON: Yeah, we can do that. Then we can get it

12 all UI.

13 FISHER: Yeah, hold on a second, Saleem's here. Oh.

14 Opened door...

15 JAFAR: Yeah, Bill ahh conference call; they're

16 waiting for you. How long?

17 FISHER: About 10 or 15 minutes.

18 JAFAR: That long?

19 FISHER: Yeah.

20 JAFAR: 'Cause I,,,

21 FISHER: Are you on?

22 JAFAR: Yeah, I'm, all and everybody's on.

23 FISHER: OK.

24 JAFAR: But they obviously need you, need you on the call.

25 FISHER: On what particular...

1 JAFAR: They, nobody wants to start without you.
2 FISHER: Well, they're gonna have to start without me.
3 JAFAR: I'm just telling you.
4 FISHER: It's on Winkler and Mesa?
5 JAFAR: Yeah.
6 FISHER: OK. Alright.
7 JAFAR: Shall I tell her to re-schedule in 15 minutes or?
8 FISHER: No, just I'll wrap up with these guys here.
9 That'll be the simple thing.
10 JAFAR: Yeah, in 10 minutes?
11 FISHER: Yeah, yeah just tell 'em to hang on if they
12 can give me 10 minutes.
13 JAFAR: UI
14 FISHER: Sorry, sorry, Saleem's, you know.
15 RASHAD: Yeah. He didn't ask you like...
16 FISHER: Somebody's supposed to be handling the
17 conference call for me and they're not capable of
18 doing that so.
19 RASHAD: LAUGHING...
20 FISHER: Unfortunately, I'm popular is all.
21 RASHAD: LAUGHING...
22 FISHER: The and I don't know if ahh you know we got
23 Rick on the phone here, but you know money's gonna
24 change hands here. I wanta make sure that we're
25 taking some steps here to protect ourselves so ahem

1 you wanta talk about it with him on the phone or...

2 RASHAD: No, no...

3 FISHER: ...do you just want you and I to talk about it?

4 RASHAD: ...well, well, well we just, we just went

5 over you know the meeting you had with Ron? Rick?

6 ROBERTSON: Mm-hmmm.

7 RASHAD: Can you hear me? Alright and ahh...

8 ROBERTSON: I'm listening.

9 RASHAD: ...just to kinda clear the air ahem...

10 ROBERTSON: Mm-hmm.

11 RASHAD: Ahh, Bill and I had, you know, discussed ahh

12 some things regarding that and, and as I explained to him

13 you know I just didn't wanta make, make sure, we, I told

14 him we had a meeting with Ron and I just wanted...

15 ROBERTSON: Mm-hmmm.

16 RASHAD: ...to be sure that there was no ripples ahh

17 and at the same time if we're gonna be the primary ahh

18 contractor here, ahh we wanta make sure that, that Ron

19 is not ahh, you know, gonna try to make any ahh waves

20 or whatever so.

21 ROBERTSON: Mm-humm.

22 RASHAD: Ahh Bill's thing it was just ahh felt like

23 if we needed to consult with Ron, you know, you and I

24 and I told him well I said, well, I don't feel like I

25 have to consult with him because ahh this is really

1 going back to the way it was, it was in the beginning.
2 We just, we just needed to take care of a couple of
3 things that we didn't, that we failed to do the first
4 time around. But now we're much...
5 ROBERTSON: UI
6 RASHAD: ...much better you know in line so ahh
7 that's pretty much I just wanted to cover that with
8 you so if you got any input on that I mean.
9 ROBERTSON: Yeah. Ahh, no, I mean I don't have any
10 input with it I mean, I don't know, I don't know ahh
11 as far as I know, he had wrote a little e-mail, Bill
12 had wrote an e-mail that UI you know he had to make
13 ahh a reservations form whatever. Ahh, but ahh I
14 don't know how, how he's gonna handle that or I don't,
15 I mean, I, I don't know. I, I guess that's up to Bill.
16 RASHAD: Well, that's what, I'm glad you said it.
17 ROBERTSON: UI.
18 RASHAD: That's...
19 LAUGHTER...
20 ROBERTSON: Tell me UI when I get home.
21 RASHAD: No, I'm glad to...LAUGHING...
22 ROBERTSON: UI tell me when I get home. Being UI get
23 a, get a, not good ideal or whatever.
24 RASHAD: What I told, I told Bill I said well if I
25 need to be diplomatic about it, I said I have no

1 problem, but I mean ahh again you know like I told
2 Bill I said you all, he hadn't, Bill hadn't had a
3 chance to talk to D'Angelo and then to get a
4 confirmation and feel good about moving forward. And
5 he definitely don't wanta have happen ahh, you know
6 what happened ahh before. And ahh so in the process
7 you know we was just kinda thinking that ahh in case he,
8 you know, Bill didn't feel good about the meeting or
9 whatever, if he gave Ron some of the work you know we
10 didn't just wanta be...

11 FISHER: LAUGH...

12 RASHAD: ...outta the whole deal you know what I'm
13 saying? And that's....

14 ROBERTSON: Right.

15 RASHAD: ...just being honest. But ahh...

16 ROBERTSON: Right.

17 RASHAD:STUTTERING...but Bill ahh has the
18 confirmation he feels that he needed ahh...

19 ROBERTSON: Mm-humm.

20 RASHAD: ...and everything is holding true to form as
21 we said that it would. And ahh...

22 FISHER: ...STUTTERING...And...

23 RASHAD: ...it's really got struck the way it was.

24 FISHER: Well, no, it's, you know it's been made
25 clear to me Ra-Mill needs to get the contract and I

1 cannot give it to Ron and give it to you at the same
2 time. LAUGH...

3 RASHAD: Right.

4 ROBERTSON: Right, right.

5 FISHER: So ahem by the way it's nice touch ahh
6 getting the ahh, getting Don across the street at the
7 same meeting.

8 LAUGHTER...

9 ROBERTSON: Right.

10 FISHER: You guys are good.

11 RASHAD: LAUGH...

12 ROBERTSON: Yeah, well I mean ahh you, I mean, you
13 know LAUGHING...

14 RASHAD: LAUGHING... Yeah, well...

15 ROBERTSON: I mean you, you met our partner so you
16 know, you know, what we dealing with.

17 RASHAD: Well, like I told him, I said we, we ahh
18 definitely don't wanta have happen what happened the
19 first time because like I, like I shared with him I
20 mean it was a lot of things that you both you and I
21 wasn't comfortable with and didn't understand what was
22 going on just because one name got thrown up in the
23 circle you know everybody start running I guess scared
24 or whatever, but...

25 ROBERTSON: Right, right.

1 RASHAD: ...you know, I told 'em well I am a, I am a
2 man of moral and principles and ahh I don't have to
3 necessarily like you or whatever and be over your
4 house everyday, but I believe in being honest and, and
5 doing business straight up you know. If we...
6 ROBERTSON: Right.
7 RASHAD: ...if we have an agreement you know, let's
8 stick to the agreement and I don't care what name is
9 brought in between and you know ahh later on, I mean,
10 it shouldn't be that way. And that's what I told
11 Bill. I kinda took myself really out of the loop with
12 all, you know, we, we, we've talked about this Rick
13 you know, you and I.
14 ROBERTSON: Right.
15 RASHAD: But ahh...
16 ROBERTSON: Right, right.
17 RASHAD: Moving forward ahh I feel good about
18 everything ahh that needs to be done. Bill is gonna
19 help us ahh as, as much as he can and we'll do
20 everything ahh that we need to do Bill to ensure that
21 this is, I know this is a big project and we
22 definitely don't wanta drop the ball on it so. I mean
23 we wanta do everything that we can to ensure that this
24 is ahh done and done right.
25 FISHER: Great.

1 RASHAD: So.

2 FISHER: And you guys'll make sure I get across the
3 finish LAUGHING... line here in a couple of weeks?

4 RASHAD: Oh yeah, oh yeah, oh yeah, oh yeah.

5 FISHER: That's the important part you know from my
6 view point that's the important part so.

7 RASHAD: I understand. I understand. So...

8 FISHER: Is, is he good...

9 ROBERTSON: UI, go ahead.

10 FISHER: Go ahead.

11 ROBERTSON: Go ahead Bill.

12 FISHER: The ahh you, you guys are using the same
13 attorney?

14 RASHAD: Yeah, I told him ahh we, we, we more than
15 likely go with ahh Ray ahh, ahem with us ahh Rick
16 unless'n you, you know?

17 ROBERTSON: No, Ray, Ray is fine.

18 RASHAD: OK. Ahh,...

19 ROBERTSON: Mm-hmmm.

20 RASHAD: ...and ahh now as far as I mean anything
21 else I mean, I don't, you know, I don't want say ahh,
22 when you say the question you just asked...

23 FISHER: No, just wanted to make sure you guys are
24 both using the same guy yeah.

25 RASHAD: ...OK, both he and I, yeah, yeah, yeah, yeah ahh

1 so yeah, yeah I just told him you know right now
2 because that's, that's, who we normally been dealing
3 with anyway ahh Rick, but if, I didn't know if you had
4 anybody else, you know, since we're doing such a
5 magnitude ahh with this particular project. And if
6 you did I wanted to discuss it with you first. Ahh...
7 ROBERTSON: Ray is fine.
8 RASHAD: OK. Yeah.
9 ROBERTSON: Go that route.
10 FISHER: Alright.
11 RASHAD: OK.
12 FISHER: Great.
13 RASHAD: OK so are we gonna a...
14 FISHER: Meet on Saturday.
15 RASHAD: Meet on Saturday? OK.
16 FISHER: You guys just call me with the time.
17 RASHAD: OK.
18 ROBERTSON: OK I'll, we'll do that.
19 FISHER: I'm around.
20 ROBERTSON: Yeah.
21 RASHAD: Alright. And, and, what I'll do ahh with
22 this that I have this, this letter since we're gonna
23 meet on Saturday just go back and just ahh we'll get
24 with ahh, we'll get with her and, and just change ahh,
25 ahh the percentage up in here Rick?

1 ROBERTSON: Mm-hmm.

2 RASHAD: Alright. And ahh we'll have it for Bill ahh
3 when we meet on Saturday.

4 FISHER: And then in the interim let's try and get
5 your lawyer running on the big agree, on the what it
6 would be a main stream agreement ahh...

7 RASHAD: OK.

8 FISHER: ...that we would normally use in this kind
9 of circumstance.

10 RASHAD: OK. OK. OK. Ahh...

11 ROBERTSON: OK.

12 FISHER: Great.

13 RASHAD: ...you got, you got anything you wanta say
14 Rick before we ahh...

15 ROBERTSON: No, that, that'll be it. Ahh, ahh, as far
16 as like I guess ahh so he's just waiting on us to get
17 back with him on, on that, that little agreement and
18 make some corrections that I, I had ahh that's the same
19 thing that I asked UI I mean I, I initially, and initially
20 I was waiting on Bill to give us an agreement and then
21 ahh, ahem and I talked to uh, uh, uh, Mr. Lee and he
22 said to uh you know, just go ahead UI something, and
23 then you know we could meet in the middle.

24 RASHAD: Oh, ok.

25 ROBERTSON: Or whatever, but ahh.

1 RASHAD: OK.

2 FISHER: Yeah, D'Angelo, D'Angelo said y'all, you
3 know, D'Angelo said you'd be getting an Agreement so.
4 UI I know he wants that so.

5 RASHAD: OK. Well this is what Bill was showing me
6 ahh the standard form so...

7 ROBERTSON: Hmmm.

8 RASHAD: Ahh, OK then we're real good, what I'll
9 do ahh like I said I'll get in contact with ahh, ahh
10 Attorney Jackson and do the interim with him...

11 FISHER: You have him call me and I'll hook him up
12 with a guy over at Cantor Steuben who represents us.

13 RASHAD: OK. OK.

14 FISHER: Alright? And we'll, we'll run parallel, run
15 parallel courses right?

16 RASHAD: Yeah.

17 FISHER: Work on the one Agreement between us and work on
18 ahh the normal form Agreement at the same time.

19 RASHAD: OK. OK. OK, then Rick I'll ahh, I'll give
20 you a call a little bit later.

21 ROBERTSON: UI everything need to be in ahh when Bill?

22 RASHAD: He, he's asking if everything needs to be in
23 when?

24 FISHER: Ahhh, I mean as long as we gotta deal,
25 I mean, Pecan Grove doesn't close till the end of the

1 month so we've got some, you know what's driving the
2 time line is the zoning case.
3 RASHAD: Oh OK so it's not...
4 ROBERTSON: OK.
5 FISHER: Yeah, I mean we'll be, we yeah. It's the end
6 of the month.
7 ROBERTSON: On the ahh 15th or the 14th.
8 FISHER: Yeah, something like that. I'm not even sure.
9 I, I think Jibreel thought it was ahh next week.
10 RASHAD: Yeah, I thought it was, I thought they were
11 saying the 15th or UI, but you saying the end of the
12 month so.
13 FISHER: No, end of the month, end of the month is
14 when we need to, I need to have a standard form
15 Agreement with you.
16 RASHAD: Yeah, OK, OK.
17 FISHER: By the end of the month.
18 ROBERTSON: But it does fund, ahh we got the committee
19 next week?
20 FISHER: Yes.
21 ROBERTSON: Oh, it does? OK. OK. OK. OK that'll
22 work then. OK I'll let, I'll let ahh but D'Angelo already
23 knows that, but he was just ticked off and he was
24 telling me. OK.
25 FISHER: Right. And he, again, he wants this signed

1 before the case?

2 ROBERTSON: Yeah, yeah he wanted to get it, he wanted
3 to get, he wanted it done. And ahh, ahh and, and yeah.

4 FISHER: UI

5 ROBERTSON: He just wanted something preliminary signed.

6 FISHER: OK.

7 ROBERTSON: You know so it, when we get something
8 preliminary signed and we get, you know, get something ahh,
9 something, something ahh final then that's fine too.
10 But he just wanted to get something signed.

11 FISHER: Alright and then, then he'll talk to Don and
12 we'll be set?

13 ROBERTSON: Right. Right. Right. Right.

14 FISHER: Good. 'Cause that's ultimately the decision
15 maker so just make sure we're all on the same team.

16 ROBERTSON: Yeah.

17 RASHAD: LAUGHING...

18 FISHER: Alright?

19 ROBERTSON: Ahh, UI like, like, we'll, I guess we'll get
20 something signed Saturday?

21 RASHAD: Yeah. Just the, yeah...

22 ROBERTSON: UI

23 FISHER: I'm, I'm here all day Saturday you guys just
24 pick a time; I'll meet you here.

25 RASHAD: OK. Ahh, ahh let's say, say Saturday ahh

1 probably about like 11 Rick if we can Saturday by 11.

2 FISHER: My, my office at 11.

3 ROBERTSON: Let's do it, let's do it UI to 11 how about...

4 RASHAD: Uh huh...

5 ROBERTSON: ...and then when I get in tomorrow ahh then I

6 can ahh, if we get like UI I can call Bill whatever a

7 confirmation for time.

8 FISHER: OK. Works for me.

9 RASHAD: OK. Alright in the mean time I'll just ahh take

10 this back and I'll just ahh give you a call a little bit

11 later.

12 ROBERTSON: OK then.

13 RASHAD: You got anything else?

14 ROBERTSON: No, I just, I just ahh.ahh I wanted to I

15 didn't, I didn't necessarily want him to sign that. But I

16 wanted to get something signed today because I didn't

17 wanta hear his mouth. UI. I didn't wanta hear

18 D'Angelo's mouth. But Saturday UI I, I'll just let

19 him know we'll meet Saturday.

20 RASHAD: Well I mean, no, he's not gonna we're not

21 signing anything today. We, we wanta make sure that ahh

22 'cause I didn't when, when I had a chance to speak

23 with Bill and like I said I don't like I feel

24 uncomfortable ahh trying to talk about something that

25 I haven't even seen you know. And ahh I thought maybe

1 you had proofread it, but we need to make sure that we
2 don't ever do this again. Ahh...

3 ROBERTSON: Right.

4 RASHAD: ...but the, but the thing of it is ahh we'll get,
5 when we meet on Saturday we'll have exactly what it is
6 that, that we need and a that we need to give to Bill.

7 ROBERTSON: OK.

8 RASHAD: OK?

9 ROBERTSON: That'll work.

10 RASHAD: OK. Alright well I'll give you a call a
11 little later.

12 ROBERTSON: Alright Bill.

13 RASHAD: Alright.

14 ROBERTSON: Alright.

15 RASHAD: OK Bill that's what we'll do.

16 FISHER: No sweat, no sweat. So we'll get together
17 on Saturday. You guys will tune up the Agreement,
18 we'll go from there and then he can again this is a
19 form contract so once your lawyer's in the loop,
20 they'll get the form.

21 RASHAD: OK.

22 FISHER: Going between 'em.

23 RASHAD: OK. OK.

24 FISHER: Let's talk a little bit about of course you
25 know you guys are gonna get you know MOB advance on

1 this deal's gonna be about 160 or 200. Ahem, and then
2 the draws will flow after that. You know, one a month
3 for probably 12 months while the construction goes.
4 We normally pay by wire transfer so y'all get us bank
5 account information that kind of stuff to wire you
6 money?
7 RASHAD: Right, right. We already have that so.
8 FISHER: OK. Good. Alright. That'll need to, to go
9 on the Agreement.
10 RASHAD: Nodding
11 FISHER: Ahem, you know don't want you know we wanta
12 make sure that this doesn't come back to haunt us so
13 how are you...
14 RASHAD: Yes.
15 FISHER: ...taking care of D'Angelo and making sure
16 this doesn't come back and bite us in the butt? Have
17 you guys thought through that?
18 RASHAD: Hnnnnnn. Mnn-hnnnn. Mnn-hnnnn. Don't, don't, don't
19 I mean we're fine with ahh with everything. I'm just
20 gonna say that. We're fine with everything.
21 FISHER: OK.
22 RASHAD: We're fine with everything. Ahem...
23 FISHER: 'Cause I don't want this coming back to
24 haunt either one of us so.
25 RASHAD: Well, my thing is, my my

1 biggest issue ahh with anything ahh is ahh, ahh Ron.
2 Like I said, you know?
3 FISHER: Ron 'causing trouble for the whole group?
4 RASHAD: Yeah, both for our company not that ahh,
5 not that ahh we're worried about anything, but again it's
6 just, for me it's about ahh precision and moving forward.
7 FISHER: OK.
8 RASHAD: That's what it's about for me.
9 FISHER: Again don't wanta beat a dead horse, but you
10 know I don't want somebody you know...
11 RASHAD: Well...
12 FISHER: You, you have some arrangement or mechanism to
13 cover...
14 RASHAD: Well, let me...
15 FISHER: Without coming back to bite us in the ass? LAUGH
16 RASHAD: Well from this, from this, from this time and
17 day forward is Ra-Mill.
18 FISHER: OK.
19 RASHAD: You know, myself and Rick.
20 FISHER: Alright.
21 RASHAD: OK? And ahh, you know, that's all it is and
22 everything else'll take care of itself.
23 FISHER: OK and you're gonna take some kinda steps to
24 make sure there isn't some trail that leads back to me.
25 RASHAD: From this day forward LAUGH... is Ra-Mill

1 and it's, ...STUTTERING...and...

2 FISHER: You've got my back on that?

3 RASHAD: (Nodding).

4 FISHER: OK. Alright. About plans, that you had plans?

5 RASHAD: Ahh, you know what I may...

6 FISHER: And the, and the telling is in the MEPs.

7 RASHAD: It's in OK let me get this stuff. Let me

8 get this.

9 FISHER: OK.

10 RASHAD: Yeah, let me get this.

11 FISHER: This is just a more workable set so.

12 PAUSE...

13 RASHAD: UI

14 PAUSE...

15 FISHER: Yeah. Just promise you'll be careful so.

16 RASHAD: OK. Yeah, I will.

17 FISHER: So...

18 RASHAD: Ahh.

19 FISHER: So we can do more.

20 RASHAD: Well,...

21 FISHER: Hmmmm.

22 RASHAD: I'm LAUGH... well I know me and I know my

23 guy Rick. Ahh there it's just a lot of smiles let me

24 just say that. Let me say that and ahh we definitely have

25 this thing back in our favor with Ra-Mill, both Rick and I.

1 FISHER: OK.

2 RASHAD: And ahh everything else'll take care of itself.

3 FISHER: You've thought through it and.

4 RASHAD: Oh. It's no other way I just, I like to

5 keep things short and simple too. Ahh but it's no

6 other way for me to say it other than you know in the

7 last meeting that we had. We assured some things and

8 you met with some people that you know so.

9 FISHER: You did. I'm impressed . I'm impressed.

10 RASHAD: LAUGHING... Yeah so we need, we're moving

11 forward. Like I said you know my only thing was and

12 not that, it's not a worried thing or nothing like

13 that, but I just like I say I'm just about precision

14 and making sure everything's as simplified and done

15 right.

16 FISHER: OK. Alright.

17 RASHAD: And I don't like the waves or the ripples,

18 but I know it's gonna, gonna be something ahh 'cause

19 if I was on that other side too yeah I would be upset.

20 However, he must remember, Ron must remember that the

21 only way that you even got involved was because of us,

22 regardless.

23 FISHER: That's right.

24 RASHAD: You know? So. It didn't, it wasn't

25 supposed to be the way you know and you know the way

1 he thought it was supposed to be and then he made us
2 believe that he had some Agreement with you and that's
3 when it really got like OK. Now this is not working
4 out the way we had anticipated.

5 FISHER: Did he end up with work out of the other deals?

6 RASHAD: No.

7 FISHER: Alright.

8 RASHAD: No. Ahem...

9 FISHER: 'Cause he and Mark Jones used to be partners so.

10 RASHAD: UI yeah I'm aware of that. And again I mean
11 my thing once again is ahhh...

12 FISHER: Are you sure?

13 RASHAD: ...one other name, one other name.

14 FISHER: LAUGHING... I was just wondering, are you
15 sure you didn't get left out and he got the work. Or do
16 you know...

17 RASHAD: UI, I mean I couldn't probably just bank on
18 it or anything, but to my understanding ahh, ahh, no
19 nothing came about, I mean, I don't know, but I do
20 know his history of Mark and I do know his history
21 with the other gentleman so.

22 FISHER: With Brian yeah.

23 RASHAD: Exactly so I wouldn't know if him if, Brian
24 if I tripped over him if he walked in I tripped over him.

25 FISHER: OK.

1 RASHAD: ...I wouldn't.

2 FISHER: Alright.

3 RASHAD: But I only, I've only known you, but I only
4 met you we've had lunch at the ZaZA and ahh that's just
5 me Bill. I mean you're a man of ahh, I feel like a
6 man of ahh integrity too and you're just trying to get
7 your projects done that's, that's about, at the end of
8 the day...

9 FISHER: That's all just keep, just...

10 RASHAD: ...that's what...

11 FISHER: ...trying to get my projects done.

12 RASHAD: ...UI. That's right exact, absolutely and
13 ahh I'm witch you on that and I hope to someday to,
14 you know, like I say I mean we've done some smaller
15 things, but you know we're not crazy, not fools, we
16 just need an opportunity too you know? And ahh
17 that's, that's, that's what I'm about, and ahh, and I,
18 and I've discussed with Rick before we even merged our
19 companies together in doing this you know. They know
20 I'm about excellence and doing things right.

21 FISHER: Right.

22 RASHAD: And ahh, that's the reason why I say when I
23 see certain things that's not happening according to
24 what was, what the original conversation was. I have
25 a tendency to like fade back 'cause for awhile you weren't

1 really talking to me, it was more Abdul and, and, and Rick.
2 You know? And ahh, of course, ahh D'Angelo will make
3 mention to me, Jibreel you know you need to come down,
4 you need to come down, need you UI...Nah because I
5 don't like, you know excuse me I don't like bull shit
6 basically.

7 FISHER: OK.

8 RASHAD: OK. So ahh that's me, but now I feel
9 comfortable about it ahh more and more so and I was
10 just with ahh Mr. Lee over the weekend. As a matter
11 of fact, we together, we were together so. Ahh he
12 understands me very well, very well.

13 FISHER: Good. Good.

14 RASHAD: Like I said, so. Believe it or not I may be more
15 of a, ahem the one who come and shake everybody up and
16 make sure...

17 FISHER: And make it happen.

18 RASHAD: ...and make it yeah. And that's and I just
19 let Rick and them they gonna do the leg work and do
20 the ends and odds or whatever, but I'm always, I'm
21 always there, I mean.

22 FISHER: Good.

23 RASHAD: I just make sure, first you gonna have I
24 think with all these different stages Bill, you're gonna
25 have a bunch of noise pollution then you gonna have a

1 camouflage then you gonna have the real thing. Where
2 I have a tendency to look at the, the noise pollution
3 then the camouflage then get to the real thing later.
4 'Cause in the interim and if in the beginning the pre-
5 lim, I, I've seen it before man heard it. Until it's
6 actually done like they say. Until you're walking
7 away from the title company with something or
8 whatever, that's all I go on man. That's all I go on.
9 FISHER: Money talks and the rest walks.
10 RASHAD: LAUGH... UI. That's it. That's it.
11 And believe me I've went to bat for you, I mean,
12 you may not always heard me, but I've been
13 behind the scenes with a lot of things that was going
14 on. I stepped up and I said even at the Taco Diner.
15 It just something registered in my soul that didn't
16 feel right, and ahh I said it's like, I saw you just
17 like a man grasping for straws. You got so much out
18 and I'm looking at you as if I were looking at myself.
19 What if that was me? You know and I got this kind of...
20 FISHER: Money out the door and I got families ready to...
21 RASHAD: ...absolutely, absolutely so we've had,
22 trust me we've had a lot of discussions and, and
23 meetings in restaurants and talking about things and
24 so this is the first time I feel...
25 FISHER: This is why I keeping asking you guys have

1 we got Don getting us across the finish line 'cause I
2 feel like he was the one that pulled the rug out from
3 under us. Now...
4 RASHAD: Again, now I don't know who influenced who.
5 I, I rather....
6 FISHER: Whose fault it was whether it was D'Angelo's
7 or Don?
8 RASHAD: One day it's like ...PHEW... and the next day
9 you notice this one name come up it's like OK, but what
10 happened to Ra-Mill? Nothing because I wouldn't know him
11 if I tripped over him like I said. I don't know. I mean
12 I've heard there's a, I heard there's a profile and a
13 this and a that and...
14 FISHER: Coughing...
15 RASHAD: ...history I mean I don't know the man. I,
16 the man never bought my lunch. Bill bought my lunch.
17 FISHER: OK.
18 RASHAD: You know so, so moving forward ahh, ahem
19 because this something that I definitely, you know,
20 hope maybe 5 years, 10 years from now, whatever, we
21 look back and, and when I say actually thanks Bill for
22 an opportunity and vice versa and you know we'll be
23 doing even bigger things too you know with, with, with
24 our company Ra-Mill so.
25 FISHER: If you guys can deliver projects, we'll do

1 projects. You know that.

2 RASHAD: Absolutely.

3 FISHER: OK.

4 RASHAD: Absolutely. UI.

5 FISHER: Thank you.

6 RASHAD: OK.

7 FISHER: Alright I'll see you on Saturday?

8 RASHAD: OK.

9 FISHER: You're gonna take that?

10 RASHAD: Yeah.

11 FISHER: Right MEP is the, is the where the plumbing
12 section is.

13 RASHAD: OK.

14 FISHER: I've, I've got a copy of that on my computer
15 UI.

16 RASHAD: UI I have my, the attorney e-mail you or...

17 FISHER: Yeah, have him e, e-mail, call me, whatever
18 just give, whatever, just get me the contact
19 information and then he'll get a call from our guy.

20 RASHAD: OK.

21 FISHER: Cantor Steuben is our firm. He'll get a
22 call from Cantor.

23 RASHAD: OK. OK.

24 FISHER: Alright?

25 RASHAD: Alright I'll be in touch with you then.

1 FISHER: No problem. Thanks.
2 RASHAD: Thanks a lot.
3 FISHER: Thanks.
4 RASHAD: Have a good day.
5 FISHER: Later.
6 Closed door...
7 Dialing phone...
8 FISHER: Cleared his throat...
9 FISHER: We're done. I'm not going to lunch.
10 Opened door...
11 FISHER: Gracias.
12 FEMALE VOICE: Thank you.
13 Various voices in the hallway: UI.
14 END OF RECORDING
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